

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MIRIAM MAINA,

Plaintiff,

v.

PRIMERICA LIFE INSURANCE
COMPANY,

Defendant.

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C.A. NO. 4:16-cv-715

NOTICE OF REMOVAL

Defendant Primerica Life Insurance Company (“Primerica”) files this notice of removal and state:

1. **The Lawsuit.** Plaintiff Miriam Maina (“Plaintiff”) filed her Plaintiff’s Original Petition and Request for Disclosure on February 4, 2016, in the 234th Judicial District Court of Harris County, Texas, being numbered 2016-07354 on the docket of said court and being a suit to recover benefits under a life insurance policy (the “Policy”).

2. **Diversity Jurisdiction.** Plaintiff was a citizen of Texas at the time this action was filed and remains a citizen of Texas as of the date of this removal. Primerica is a Massachusetts corporation with its principal place of business in Georgia, both at the time this action was filed, and as of the date of this removal. Moreover, the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, as the Policy provided \$100,000 in death benefits as Plaintiff “seeks monetary relief over \$100,000.” (Petition ¶ VI.) Thus, complete diversity of citizenship exists between

Plaintiff and Primerica, and the amount in controversy is satisfied. The Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332, and this action may be removed by Primerica pursuant to 28 U.S.C. § 1441. Venue is proper in this Court under 28 U.S.C. § 1391, as this action was pending in a state court within this district and division.

3. **State Court Documents Attached.** Primerica was served through its registered agent by certified mail, return receipt requested on February 29, 2016. As such, this removal is timely under 28 U.S.C. § 1446(b). Pursuant to Local Rule 81, attached hereto as Exhibit “A” is an Index of State Court Matters, which contains true and correct copies of all process, pleadings, or orders received or filed in this action as of the filing of this removal. Also attached hereto as Exhibit “B” is a List of Counsel, including each attorney’s bar number, addresses, telephone numbers, and parties represented.

4. **Relief Requested.** Primerica respectfully request that the United States District Court for the Southern District of Texas, Houston Division, accept this notice of removal and that it assume jurisdiction of this cause and issue all such further orders and processes as may be necessary to bring before it all parties necessary for the final trial hereof.

Respectfully submitted,

By: /s/ Bill E. Davidoff

Bill E. Davidoff

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ATTORNEYS FOR DEFENDANT

PRIMERICA LIFE INSURANCE COMPANY

CERTIFICATE OF SERVICE

I hereby certify that on March 18, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all parties who have appeared and registered with CM/ECF.

/s/ Bill E. Davidoff

Bill E. Davidoff